

# PRESS RELEASE

May 26, 2006

## **REGISTERED SEX OFFENDER PLEADS GUILTY TO POSSESSION OF CHILD PORNOGRAPHY**

**RE: UNITED STATES v. DAVID W. MILLER, SR.**

United States Attorney Terrance P. Flynn announced today that registered sex offender David W. Miller, Sr., age 50, of Lockport, New York, pled guilty today before the Honorable John T. Elfvin, United States District Judge, to a one-count Indictment charging him with possession of child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B). At sentencing, Miller faces a maximum term of imprisonment of ten (10) years, a \$250,000 and a lifetime term of supervised release.

Assistant U.S. Attorney Allison P. Gioia, who is handling the case, stated that Miller was convicted of attempted sodomy 1<sup>st</sup> degree in 2000 and was sentenced to a term of imprisonment of 4 years and 5 years post-release supervision. Based on this conviction, Miller is now a registered sex offender. Miller was released to New York State Parole supervision in February 2004. In addition to the charges to which Miller pled guilty today, Miller is also facing numerous New York State Parole violations.

Gioia stated that in connection with today's guilty plea, Miller admitted that on or about August 8, 2005, he possessed at least 300 images of child pornography. Miller

further admitted that some of the images depicted sexual acts that were readily capable of inflicting pain upon the children shown therein. Finally, Miller admitted that some of the images depicted prepubescent minors and children under the age of 12. Pursuant to the terms of the plea agreement, Miller faces a sentencing range of between seven (7) and nine (9) years in prison under the Federal Sentencing Guidelines. Miller has been in New York State custody on the parole violations since his August 8, 2005, arrest and will remain in custody until his sentencing in Federal Court.

Today's guilty plea was the result of an investigation led by the New York State Executive Department Division of Parole under the direction of Bureau Chief Grant Scriven, and the Federal Bureau of Investigation, under the direction of Special Agent in Charge Laurie Bennett.

Sentencing is scheduled for September 15, 2006, at 1:00 p.m., before the Honorable John T. Elfvin.

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